

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED

JAN 13 2011

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

RESILIENT FLOOR COVERING
PENSION FUND and BOARD OF
TRUSTEES OF THE RESILIENT
FLOOR COVERING PENSION PLAN,

Plaintiffs-counter-
defendants - Appellees,

v.

M&M INSTALLATION, INC., a
California corporation,

Defendant - Appellant,

SIMAS FLOOR CO., INC., a California
corporation,

Defendant-counter-claimant
- Appellant.

No. 09-17047

D.C. No. 3:08-cv-05561-BZ
U.S. District Court for Northern
California, San Francisco

MANDATE

RESILIENT FLOOR COVERING
PENSION FUND and BOARD OF
TRUSTEES OF THE RESILIENT
FLOOR COVERING PENSION PLAN,

Plaintiffs-counter-
defendants - Appellants,

No. 09-17064

D.C. No. 3:08-cv-05561-BZ
U.S. District Court for Northern
California, San Francisco

v.

M&M INSTALLATION, INC., a
California corporation,

Defendant - Appellee,

SIMAS FLOOR CO., INC., a California
corporation,

Defendant-counter-claimant
- Appellee.

The judgment of this Court, entered December 22, 2010, takes effect this date.

This constitutes the formal mandate of this Court issued pursuant to Rule 41(a) of the Federal Rules of Appellate Procedure.

FOR THE COURT:

Molly C. Dwyer
Clerk of Court

/s/

Theresa Benitez
Deputy Clerk